IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.CRIMINAL MISC. PETITION NO. 07/2007
(Narain Singh & Anr. V/s State of Rajasthan & Anr.)

Date of Order : 11/07/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. H.S.Srimali, for the petitioners.
Mr. Ashok Upadhyay, P.P.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 116/06 P.S. C.P.S., Jaipur, for the offences under Sections 7, 13 (1)(D) (2) of the Prevention of Corruption Act, 1988 and under Section 120B IPC.

I have heard learned counsel for the petitioner and the public prosecutor. Perused the FIR.

It is contended by learned counsel for the petitioner that petitioner No.1 Narain Singh is not a public servant and therefore, no proceeding can be initiated against him for the

offence punishable under the Prevention of Corruption Act. It is further contended that the petitioners have material with them from which, they can establish that it was not an illegal gratification but it was the money meant to be deposited in the Govt. Treasury.

Be that as it may, on close scrutiny of the FIR, in my view, the FIR discloses the cognizable offence. The trap was organized by the officials of the Anti-corruption Department and a sum of Rs.1000/- was said to be recovered from the petitioner No.2 who is said to be the employee of the District Court and thus is a public servant. Therefore, in my view, no case for quashing the FIR is made out.

The petition is, therefore, dismissed.

(H.R.PANWAR),J.

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